



GOMB

KEY BUDGET DRIVER FRAMEWORK

Corrections

Maintaining Utah's competitive edge and quality of life requires that we proactively manage and address the multiple demands being placed on limited resources—the taxpayer dollar. Utah's growing and changing population along with new dynamics in our revenue streams places an increased demand on everything from infrastructure to education and the state's natural resources to our correctional system. Reacting to new demands and changes within the economy without a proactive approach to budget design and strategy could potentially leave Utah vulnerable to a diminished future prosperity.

*For Utah, there are six key elements that drive approximately 80 percent of expenditures: Corrections, Employee Compensation and Liabilities, Higher Education, Infrastructure (transportation, buildings, and debt), Medicaid, and Public Education. The ability to develop sound planning strategies and to resolve the challenges within these key areas is fundamental to a thriving economy. These planning strategies, or what we in GOMB refer to as **key budget drivers**, have been developed in consultation with subject-matter experts and key stakeholders.*

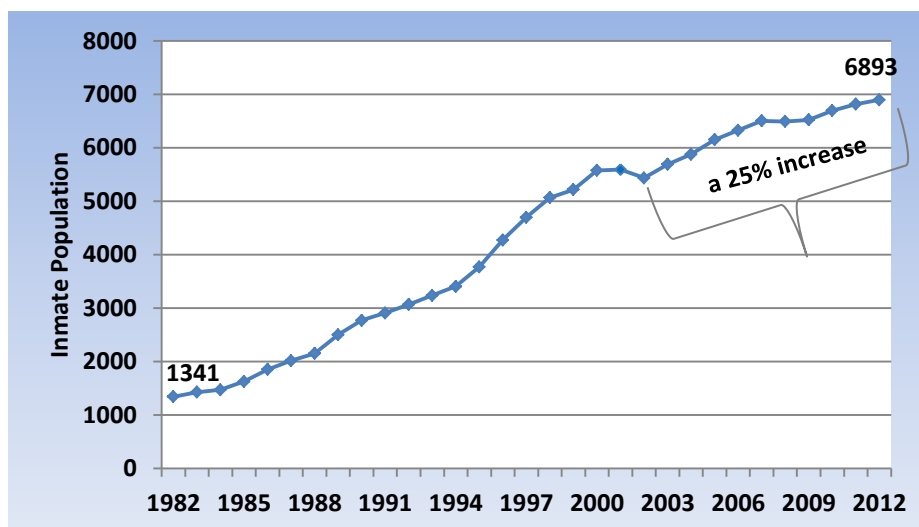
Overview of Corrections Budget Driver

Approximately 11 percent of the annual General Fund expenditures are appropriated to the Department of Corrections.

Utah currently incarcerates 242 people per its 100,000 residents. While this number is significantly lower to the average rate of 392 per 100,000 for western states and the national rate of 492 per 100,000, Utah's incarceration rate has drastically increased over the last 30 years.

More specifically, since the 1980s Utah's incarceration rate of 88 per 100,000 residents has increased by 175 percent. During the last ten years, the total prison population increased by 25 percent while the state population for ages 18 to 35 (the age of most offenders) increased by 15 percent. The following chart depicts the average annual incarcerated population in Utah between 1982 and 2012. As of October 25, 2013, there were 7,162 inmates incarcerated in Utah.

Average Annual Incarcerated Population: 1982-2012



Objectives of Corrections Policy and Budget Decisions

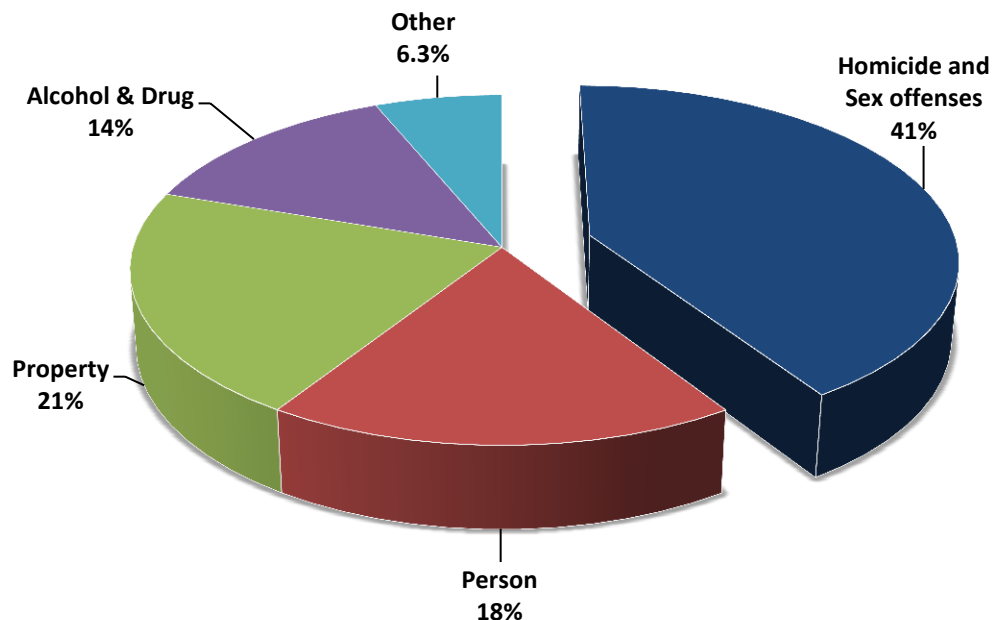
The objective of the state's policy and budget decisions is best described by the following philosophical approach advocated by the Utah Sentencing Commission: *"The Commission promotes sentencing policies that: punish the offender, protect and compensate victims of society, and reduce the likelihood of future criminal conduct through the use of appropriate and evidence-based rehabilitation and incapacitation."*

Significant Issues, Potential Challenges and Risks

Distribution of Inmates by Offense

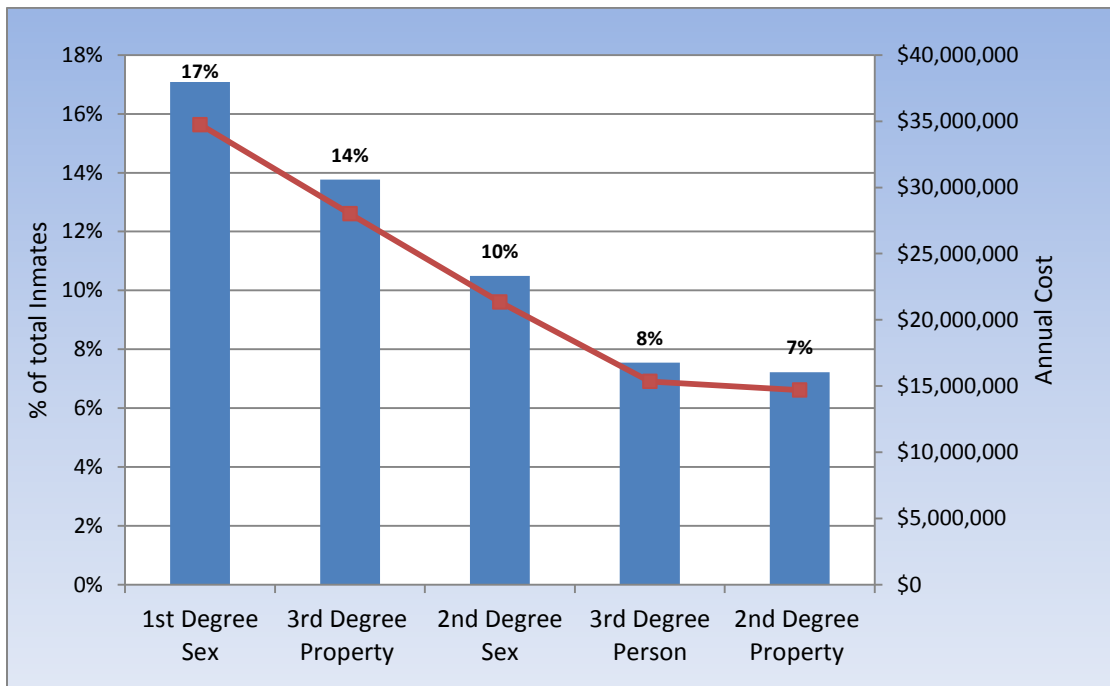
The prison population is affected by the number of offenders incarcerated and the amount of time an inmate remains in prison. An offender's length of stay depends on the offense and the offender's individual criminal history and risk factors. Forty-one percent of prison inmates are incarcerated for homicide and sex offenses. In general, these offenders' average length of stay is much longer compared to other offenses (person, property, alcohol and drug, etc.).

Prison Population by Offense Type



The current average cost to house an inmate is \$77.84 per day (or \$28,411 per year). The five largest categories of offenses (1st degree sex offenders, 3rd degree property offenders, 2nd degree sex offenders, 3rd degree person, and 2nd degree property) account for 56 percent of all prison costs. The 1,223 1st degree sex offenders (17.1 percent of our prison population) will cost the state \$34.7 million each year. The following graph depicts the five largest offense categories as a percentage of the total inmate population (left y-axis and in blue) and the associated annual housing costs (right y-axis and in red).

Five Largest Offense Categories



Legislation

During each legislative session, a number of laws are enacted which create additional crimes and provide enhanced penalties for repeat offenders. Statistics provided by the Utah Sentencing Commission show that for the past five legislative sessions (2009-2013), there have been a total of 78 new felonies and 129 new misdemeanors created by law. During same time period, laws were repealed for only one felony crime and five misdemeanor crimes.

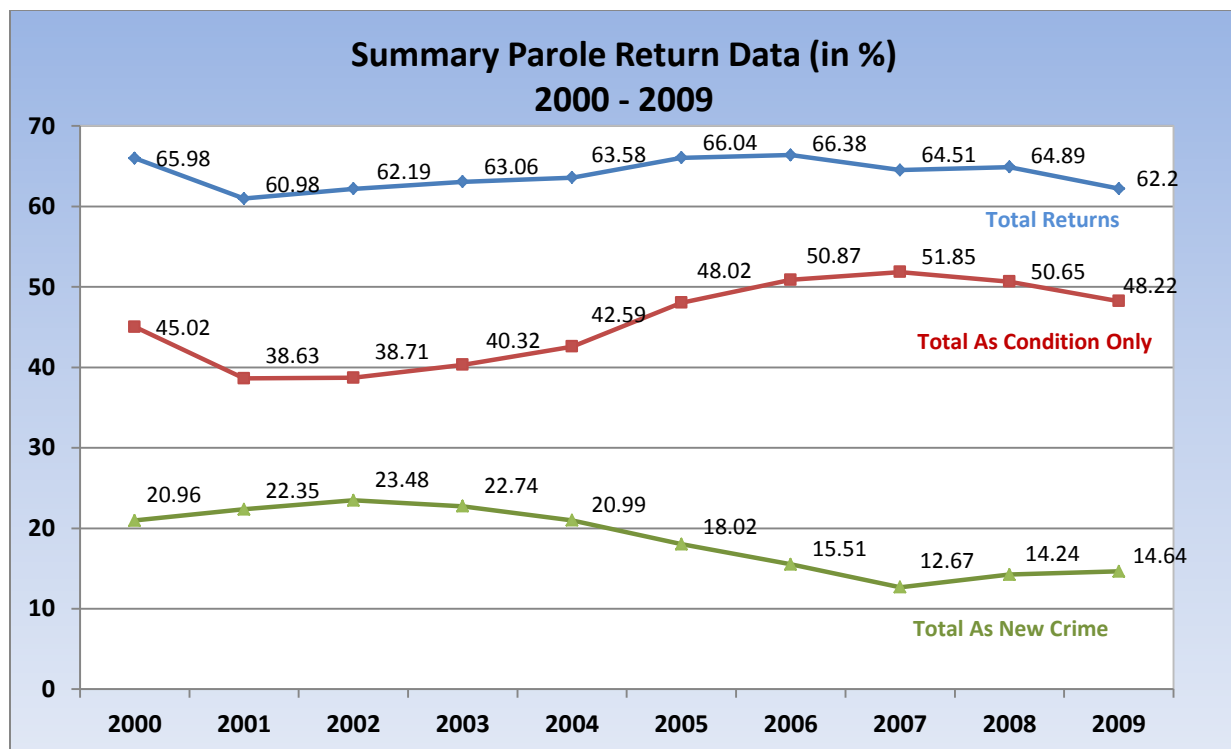
	Year (Totals)					Total over 5 years
	2009	2010	2011	2012	2013*	
New 1 st Degree Felonies		1		1	3 2 new 15 to life 1 1 st increased to 15 to life 1 reduced to 2 nd	5 1 reduced to 2nd
New 2 nd Degree Felonies	1	3	10	12	6	32
New 3 rd Degree Felonies	7	4	4	16	10 new 1 repealed	41 1 repealed
New Class A Misdemeanors	9	6	2	13	10	40
New Class B Misdemeanors	10	14	11	26	11 new 1 repealed	72 1 repealed

New Class C Misdemeanors	4	4	1	6	2 new 4 repealed	17 4 repealed
Anticipated Prison Admissions per year	1		7.3		3	11.3

Source: 2013 Legislative Session Sentencing Update, Utah Sentencing Commission

Recidivism Rates

A significant cost driver for the prison population is the majority of inmates released on parole that return to prison as a result of parole violations or for committing a new crime. The most recent data from the Department of Corrections indicate that 62 percent of inmates return to prison within three years of being released. Currently, 48 percent of parolees are returned for violating conditions of parole as compared to 15 percent for committing a new crime. The total recidivism rate has stayed relatively constant between 2000 and 2009.



Guiding Principles for Corrections Budget and Policy Decisions

The guiding principles for all corrections-related policy and budget decisions are best described by the philosophical approach advocated by the Utah Sentencing Commission. *“The Commission promotes sentencing policies that punish the offender, protect and compensate victims of society, and reduce the likelihood of future criminal conduct through the use of appropriate and evidence-based rehabilitation and incapacitation.”*

Areas Requiring Additional Research and Consideration

The Commission on Criminal and Juvenile Justice and the Utah Sentencing Commission will collaborate with all stakeholders in the criminal justice system to recommend changes to the criminal justice system to implement the budget and policy guiding principles identified. To achieve success, it will be necessary to:

- Implement and train adult probation and parole agents on statewide standards for revoking parole
- Develop a throughput operating strategy, collect key data elements, and establish pertinent performance measures
- Review current policy, practices, and sentencing and release guidelines to assure that the appropriate offender penalties are being recommended
- Allocate additional resources to evidence-based programs with proven results for reducing recidivism

A recent report by the Commission on Criminal and Juvenile Justice concluded that the following programs are most likely to reduce recidivism.

Drug Court	Recidivism reduced 19%
Cognitive Behavioral Therapy	
Secure Setting	Recidivism reduced 17%
Community Setting	Recidivism reduced 11%
Intensive Supervision with Treatment	Recidivism reduced 16%
Sex Offender Treatment	
Secure Setting	Recidivism reduced 22% for a new sex crime and 36% for any new crime
Community Setting	Recidivism reduced 48% for a new sex crime and 28% for any new crime
Therapeutic Communities in Prison Males and Females	Recidivism reduced 14%
Females Only	Recidivism reduced 17%